

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

AUSTIN AITKEN

Plaintiff

P.O. Box 110024  
CLEVELAND, OH 44111

MANOR CARE CORP. OFFICE  
(AND) PARTIES ET AL  
333 North Summit  
Toledo, OH 43604  
Defendant(s)

1:14CV224

CASE NO.

JUDGE NUGENT

COMPLAINT MAG. WHITE

Personal Injury/Med.  
Malpractice Case

Enclosed

Is Documents and Paperwork that  
is Part of this Complaint - For Personal Injury  
Med. Malpractice Caused (or) due to Manor Care  
Center and there Acting (or) Duty Dr. Brobbery and  
staff inability to Provide Proper health care  
for my now Deceased Mother Eyna Johnson  
whom Passed on Oct 5th 2012 Due to Manor  
Care, Cleveland lack of concern and under  
staff nurse's Performing Duties & services  
they themselves where unable to Properly do  
for my Mother's many serious Health -  
Conditions she Developed while under the  
Care of Manor Care and Doctor Brobbery. See  
also enclosed Complaint and Medical Treat-  
ments records a Fax's warning Manor Care and  
Corp OFFICE.

# (Complaint)

Personal Injury / Medical  
Malpractice Suit  
10-14-12

ON (or) Around Aug 18<sup>th</sup> 2012  
I Austin Aitken son and legal  
Guardian of Eyra Johnson went  
to Manor Care Nursing Home  
where my mother was staying  
at to visit her as I regularly  
do, However after getting there  
and sitting with mother I  
Notice mother was choking  
and Couldn't keep her food  
(or) drink down nor could  
mother keep down her -  
medicines / Pills (or) anything  
mother took in by way of  
her mouth because around  
food time Manor Care also  
have the Pill wagon (or)  
Cart comes around room  
to room and give out every  
one there Pills and other  
medicines, I ask the Nurse  
what is wrong with Mom's →

#2

the Nurse / aid responded  
gas (or) cold, I told her  
the staff on the second floor  
nurse station to call  
Dr. Brobbey the Doctor that  
care's for everyone at Manor  
Care that I wanted my  
mother out of there and  
send to the hospital asap  
so shortly later the EMS  
(or) ambulance service did  
come to Manor Care and  
picked up mother, I then  
follow them to Euclid hospital  
and they checked Mother  
into the hospital where  
mother stayed some 33 Days  
in the CCU-unit. This is  
where everything took a turn  
for the worst, and Dr. Brobbey  
and Euclid Hospital Social  
Service called me on 2  
(or) more occasions telling →

#3

To get ready and Pick out a Acute Care Hospital because with mothers many serious health conditions - Mother needed this type of care now. I then agreed with all Parties and Dr. Brobbery then Euclid Hospital social Worker gave me a list of 3 Acute Care Hospitals, one was at St. Vincent Hospital on E 22nd St. Cleve, OH/O Another was out Waverlyville Rd. and Emery Rd. which is Part of the Kindred Hospital chain which I liked but it was to far out of the way for me and the rest of the family, so I Picked out the Kindred Hospital with Acute Care at 11900 Fairhill Rd. Cleve, OH. (216) 983-8030 after taking 2 days to visit all the Acute Care Hospital thinking everything is set, I even told



#4

my oldest sister Valerie Jones  
 and the rest of the family as  
 well as mother the great  
 news of a Acute Care Hospital  
 everyone was glad and very  
 much looking forward to -  
 Mother's recovery with the  
 aid of a Acute Care hospital.  
 so the day mother was to  
 be discharged to the Fairhill  
 RD. Kindred Acute Care hospital  
 I recieved more Calls from  
 Dr. Brobbery and the Social  
 worker's Dept of Euclid Hospital  
 telling me at the last minute  
 on Friday of all days of the  
 week Mother was being send  
 back to Manor Care Nursery  
 Home because Dr. Brobbery and  
 the Social Service Dept (now)  
 felt mother could get the  
 same level of care at a  
 Nursery Home. I went totally  
 off on the Social Worker telling  
 her this isn't about anything  
 but Cash Money, meaning  
 since mother had already  
 been out of Manor Care for  
 some 33 Days, if Manor Care  
 didn't get Mother back they →

#5

At Manor Care would lose the cash for the month of Aug, 2012 and Sept, 2012 cash payments, Plus they was troubled about me my mother's legal guardian receiving that cash, Plus cash for the next 90 days per Medicare / Medicaid laws that state if a person leaves for more than 30 days and change Nursing Home to go to another they willnt receive the money anymore from Medicare / Medicaid etc. And Dr. Brobby and his Boss Manor Care wasnt having any of the above situation. If they could help it, so Dr. Brobby simply wrote up his evaluation on my mother so it wouldnt appear she was in need of Acute Care like was already Planned and simply put my mother's life on the line hoping a Nursing home could do what a Acute Care Hospital / Center could do →

#6

Knowing all along he and Manor Care simply signed my Mother's Death Cert by changing at the last minute a Nursing Home over a Acute Care Center periodically so after Sept 26, 2012 and returning my mother back to Manor Care it was only 2-3 days later mother was again rushed back to Euclid Hospital for breathing problems, when my mother got back she was in very very poor health and all her vital signs was gone, she still had pneumonia she had a blocked up feeding tube and her urine line had been disconnected from her body and all kinds of blood, and saliva was coming out of Mother's mouth and she was dehydrated her entire body, Manor Care & Dr. Brobbery knew they couldn't provide the level of care my Mother needed but just the same →

#7

Attempted this madness anyway as a result of there thinking and counter Planning against my wishes they caused and created a Death situation for my mother and no more than 4-5 Days later a nite around 1:10 AM Euclid Hospital called me saying mother had Passed and they tried CPR and mother wasn't responding and did I want them at the Hospital to try CPR again know already my mother was gone on because I told my fiancé Jeanine Gorman at 1:02 AM mother is gone I felt my mother leaving this world by way of me - before the nurse called, I told the nurse I know already from Home me and mother was very close, also enclosed is 3 Page for I send Manor Care and 6 Page Medication Reconciliation Report, along with 2 page of Medicare Rights on being Discharged from the Hospital, and Manor Care bed hold

→



(#8)

Sheet explaining what I  
will owe them if the bed  
hold exceeds 30 days.

So yes I personally feel  
Dr. Broberg's conduct and  
lack of concern, along  
with caring more about  
what Manor Care may  
want - over the health  
and care of his patients  
caused the Doctor to  
write up a untruthful  
medical evaluation of  
my mother's real health  
conditions and the seriousness  
thus keeping my mother  
out of a Acute Care Hospital  
so that my mother could  
wrongly be send back to  
Manor Care.

Sincerely  
~~\* Doctor Broberg~~  
Don / Legal Guardian